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Robert Jesus Blancas

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT JESUS BLANCAS,

Defendant.

CR Nos. 21-105 and 21-121 VC

**DEFENDANT BLANCAS SENTENCING  
MEMORANDUM**

**I. INTRODUCTION**

Defendant Blancas agrees with the Guideline calculations set forth in the Presentence Report (PSR) and joins in U.S. Probation's recommendation for a downward variance to a custodial sentence of 120 months in CR 21-105 and a downward variance to 6 months for each count in CR 21-121, to run concurrently with the sentence in CR 21-105. PSR Addendum at ECF 26.

**II. THE SENTENCING FRAMEWORK**

Under federal law, every day of incarceration must be necessary. The court is no doubt familiar with the directives of *United States v. Booker*, 543 U.S. 220 (2005) and 18 U.S.C. § 3553(a)(1) and (2). The Court must consider the Guidelines range, the nature and circumstances

1 of the offense, the history and characteristics of the defendant, and the need to avoid  
 2 unwarranted sentence disparities among similarly situated defendants. 18 U.S.C. § 3553(a)(1),  
 3 (a)(4) and (a)(6). In crafting a sentence that is “sufficient, but not greater than necessary,” to  
 4 comply with the purposes set forth in 18 U.S.C. § 3553(a), the Court must also consider the need  
 5 for the sentence imposed: (A) to reflect the seriousness of the offense, to promote respect for the  
 6 law, and to provide just punishment for the offense; (B) to afford adequate deterrence to criminal  
 7 conduct; and (C) to protect the public from further crimes of the defendant. 18 U.S.C. §  
 8 3553(a)(2)(A) - (C).

### 9 **III. THE NATURE AND CIRCUMSTANCES OF THE OFFENSES**

10 Section § 3553(a)(1) requires that in determining a just sentence, courts must consider  
 11 “the nature and circumstances of the offense”. Mr. Blancas has no objections to the offense  
 12 conduct regarding the enticement charge in CR 21-00121. PSR ¶¶ 34-41. Mr. Blancas also has  
 13 no objections to the offense conduct regarding the obstruction charge in CR 21-105. PSR ¶¶ 19-  
 14 33.

### 15 **IV. MR. BLANCAS’ HISTORY AND CHARACTERISTICS**

#### 16 **A. EARLY YEARS**

17 Mr. Blancas’ parents preferred to live rural areas beginning in the mid 80’s. In 1993, they  
 18 moved to a 2.5 acre property in a rural area in Colorado, which was 30 miles from Denver and  
 19 lived there for four years. They then moved to Ft. Worth, Texas. When Robert was in the 5<sup>th</sup> or  
 20 6<sup>th</sup> grade, the family purchased a 10.5 acre ranch in outside of Crowley, Texas. (Exhibit A at p.2)

21 Robert’s sister Leslie, who is three years older than Robert, feels that all the moving  
 22 around in their early years had a deleterious effect on their ability to establish friendships with  
 23 other children because their mother was terrified of losing them, stressing the dangers of being  
 24 kidnaped, so she kept them at home a lot. (Exhibit B at p.2) (under seal) Leslie was put in  
 25 charge of watching Robert when their parents went on errands, which was frequent. “He was  
 26 mischievous, like watching TV when their parents said he wasn’t supposed to. She also  
 27 remembers that Robert loved to parade around the house in his mother’s old costumes and  
 28 dresses . Id at p.3. She also indicates that Robert’s relationship with his mother deteriorated at

1 an early age. “Robert loved to cook with their mom and would wear a Chef Boy-R-Dee hat and  
 2 Ninja Turtles apron when he helped in the kitchen. He loved the Swedish chef character on the  
 3 Muppets. Robert used to do things like make their mother breakfast in bed. Robert was very  
 4 close to their mom when he was younger, but then got called a “mama’s boy,” by their father,  
 5 which soured his relationship with his mom. Id. at pp.2-3;

6 Mr. Blancas’ aunt, Deborah Blancas (Deborah) is the sister of Robert’s mother, Karen.  
 7 She is married to a brother of Robert’s father. She remembers that “When Robert was in the 3rd  
 8 grade he had a crush on a girl. His family teased him about it to the extent he never revealed  
 9 when he liked a girl again. Favorite toys would be taken away as punishment. So, he learned not  
 10 to express a desire for or create an attachment to anything. The kids weren't allowed to express  
 11 their feelings.” (Exhibit C at p.3)(under seal); See also, PSR ¶¶ 79-80.

#### 12 **B. MIDDLE AND HIGH SCHOOL YEARS**

13 Robert had a difficult relationship with his parents during his middle and high school  
 14 years. His aunt Deborah states that “ Robert’s relationship with his parents was “difficult”:

15 “ During their years as a family unit I know they all loved each other and still do but the  
 16 relationships were and are toxic. Not due to drugs or alcohol, but rather personality and  
 17 behavior. Mark can be nice, especially with his friends or people he's trying to impress,  
 18 but he is also quick to anger, stubborn, controlling and confrontational . . . Karen, on the  
 19 other hand, likes to have fun. Quick to laugh, but she also derives satisfaction from  
 20 taunting and teasing. She'll offer you a candy and then snatch it away before you can take  
 21 it. She is inconsistent; for example, one day it's ok for the kids to run and chase through  
 22 the house and the next day it isn't. . . I think both Mark and Karen share sociopathic  
 23 tendencies. They are inconsiderate and choose their own happiness over anyone else's,  
 24 even their children. They couldn't care less about the feelings or plight of others. Of  
 25 course, with all this as a basis, I consider their parenting skills substandard. They  
 26 demanded respect and obedience from Robert and Leslie with no complaining. To their  
 27 credit, however, Mark and Karen were good providers, working steadily. Their children  
 28 always had the proverbial food in their bellies, clothes on their backs and roof over their

1 heads. . .” (Exhibit C, at pp.1-2)(under seal)

2 Mr. Blancas sister Leslie also states that her mother’s fears made it hard to do things with  
3 other kids through their time in high school. They both felt “socially isolated, as the only time  
4 they had with other kids was at school or extracurricular activities, or the occasional neighbor.  
5 By the time Robert was in highschool, he was already used to the habit of not hanging out with  
6 friends outside of school.” (Exhibit B at p.2)(under seal)

7 Mr. Blancas told U.S. Probation that “he had no close friends growing up.” PSR ¶ 78.  
8 He never had any friends visit him at the ranch in Crowley and he never spent time with  
9 classmates at their homes before and during high school. Robert’s mother, Karen Blancas,  
10 verifies that he *never* had friends over to the ranch in Texas after before and during high school  
11 or otherwise, because she “insisted that he clean his room before having friends come over.”  
12 (Exhibit A at pp.2-3.) (emphasis added)

13 Karen states that despite the foregoing, Robert was “ outgoing, had a lot of friends and  
14 was a jokester . . . and mostly hung out with friends in groups.” Id. at p.2. Jennifer Blancas,  
15 Robert’s cousin, has a different take on the foregoing “ Once they moved to Texas, they lived  
16 closer to other kids, but the complication was that Karen worked at the high school and she was  
17 a busy body. All of the kids at the school knew her and would tell her everything that Bobby and  
18 Leslie were doing, which made it difficult socially for them.” (Exhibit D, at pp.2-3.)

19 Mr. Blancas’ parents attempted to limit their children’s access to both television and the  
20 internet. His father Mark states that “ his kids didn't have internet growing up, only dial-up, so  
21 there was not a lot of playing video games. They had a Nintendo, but the kids didn't play a lot.  
22 The kids didn't have computers or TVs in their rooms, even though they insisted that their  
23 friends all did. There was one computer the family shared, located in the dining room. Mark said  
24 that he never saw Bob accessing pornography, or doing anything inappropriate on the  
25 computer.” (Exhibit E, at p.3) Mr. Blancas’ mother recalls that in high school, “Bobby was  
26 interested in computers, but he wasn’t in the house playing video games or on the computer for  
27 hours. (Exhibit A, at p.3) She also “. . . recalls that when Bobby and Leslie were younger, they  
28 played some video games together as a family – Contra and Mario Bros. When Bobby got older

1 there were arguments because Karen and Mark didn't allow him to play shooting games like  
2 Grand Theft Auto, even though Bobby argued that all of his friends at school had the game. (Id.  
3 at p.3)

4 Karen and Mark also restricted what Bobby watched on TV, including not allowing him  
5 to watch the Simpsons. (Exhibit A at p.3) Mr. Blancas has recently told counsel, that the reason  
6 for banishing of the Simpsons was "because "Bart Simpson" was disrespectful to his parents."

7 Leslie reports that "Because of not being able to go out and hang out with friends when  
8 they were younger, they found it was easier to have friends online than in person. By the time he  
9 was in high school, Robert was accustomed to becoming friends with other players of online  
10 games and socializing through chat room." (Exhibit B, at p.3) (under seal) She also stated that  
11 "Robert has always been attracted to role-playing online games. They used to play games  
12 involving wizards in a fantasy world, like Elder Scrolls. Robert liked Animae and Legends of  
13 Dragoon. Leslie said that they way they grew up on farms, playing video games was their escape  
14 from field work. During the years that they couldn't have friends over, they had to find  
15 something else to do, and video games filled that gap." (Id. at p.7) Aunt Deborah explained that  
16 because they were not able " . . . to go out and hang out with friends when they were younger,  
17 they found it was easier to have friends online than in person. By the time he was in high school,  
18 Robert was accustomed to becoming friends with other players of online games and socializing  
19 through chat room. (Exhibit C at p.3)(under seal)

20 Another event that negatively affected Robert's interactions with the other kids in high  
21 school took place after his sister left for college. The Blancas family hosted a German foreign  
22 exchange student for a year in order to make up for the absence of his sister. According to  
23 Robert's mother he and Bobby were "very close, like brothers." (Exhibit A at p.4)

24 Robert, as confirmed by his aunt Deborah, had a different and negative experience  
25 regarding the exchange student. "After his sister Leslie, left for college: " . . . his mother thought  
26 it would be a great idea to host a male foreign exchange student the same age as Robert so he  
27 would have a friend and not be lonely. But, this situation actually created a lot of additional  
28 conflict in Robert's life because 1) the exchange student didn't have to share any of the-now

1 doubled-since-his-sister-left-chores Robert had to do on the family's big horse property, 2) the  
 2 student became very popular at Robert's high school and 3) the student became a basis to whom  
 3 the parents compared Robert. I am not sure the two ever became friends, actually. Robert told me  
 4 a couple of years ago he felt very resentful about it and still does.” (Exhibit C, at p.3 )(under seal)  
 5 (See also, PSR at ¶ 79)

6 Mr. Blancas reports that his main interest during high school was music. His father, Mark  
 7 pointed out that “He was in the high school marching band and had been playing trumpet since  
 8 about the eighth grade. As a junior and senior, he moved into the jazz band.” (Exhibit E, at p.3. )

### 9 C. COLLEGE YEARS

10 When it came time to consider college Mr. Blancas wanted to go the University of North  
 11 Texas, located near Fort Worth. His mother referred to this during her interview: “There was a  
 12 college that Bobby wanted to attend in Ft. Worth [Karen can’t remember the name]. They went  
 13 to visit and Bobby was told that his SAT scores were off the chart. They said that if he had done  
 14 better in high school, they would have given him a full scholarship. Karen explained that she and  
 15 her husband encouraged their children to apply for scholarships for college, and if they could get  
 16 enough to cover half of the tuition, Karen and Mark would pay for the other half. They wanted  
 17 their kids to have ownership of college. Leslie worked hard to get scholarships for college, *but*  
 18 *Bobby did not, so he was not able to attend the college in Ft. Worth.* (Exhibit A at p.4 ) (italics  
 19 added)

20 Mark Blancas recalls “. . . that they went to North Texas and were told that Bob had great  
 21 SAT and ACT scores, and that if he had done better in high school, he would have had a full  
 22 scholarship. Through Karen’s work with the band at the high school, she learned of a jazz band  
 23 scholarship opportunity at Weatherford, a community college, and Bob received a scholarship  
 24 there that covered half of his tuition.” (Exhibit E at p.4)

25 Mr. Blancas reports that he actually applied to University of North Texas and was  
 26 accepted, however, he did not receive a scholarship, therefore his parents would not offer him  
 27 any financial help. He reports that he was devastated by his parents failure to help him with the  
 28 tuition at UNT which has a Jazz Studies program is widely regarded as one of the nation's most

1 respected college jazz program. .

2 Robert attended Weatherford in the fall of 2005. Although he **received A's** in band and  
3 jazz improvisation during his first semester he "didn't like the academic environment" and  
4 dropped out in during the first semester of 2006".

5 **D. POST COLLEGE YEARS**

6 Rather than move back to the ranch, he moved in with his paternal aunt Robin Blancas.  
7 (Exhibit G) He wound up living with Robin for two years, with the exception of four months  
8 during which he traveled around the mid-west retrofitting printing presses for a company  
9 recommended by his father.

10 Karen and Mark felt that Robin was enabling Bobby by letting him sleep on her couch  
11 instead of coming home to face the consequences of what he had done, and live with the family's  
12 rules. Robin kind of raised Bobby for a couple of years. His mother reports that she and his  
13 "father had no communication with Robert during that time. His mother described this as "tough  
14 love." (Exhibit A at p.4)

15 When asked what Robert did for those two years, Robin said, "nothing," except stay  
16 home and play a game on his computer called World of Warcraft. . . he was interested in,  
17 creating video game systems. . . He didn't work at all during that time, although, he did help  
18 Robin around " . . . the house, and cook dinner, but most of the time he was on his computer with  
19 the "World of Warcraft crap. . . he was interested in, creating video game systems. . ." ( Exhibit  
20 G at p.3) . Mr. Blancas finally left his aunts residence after deciding that he wanted to move to  
21 Boston, Mass.

22 **E. BOSTON YEARS**

23 Robert began to turn his life around once he arrived in Boston,. He obtained a job at Hi -  
24 Rise Bread Company in Cambridge, Mass., which across the river from Boston. The owner of  
25 Hi-Rise, Allen Navratil reports that he employed Robert on July 30, 2010 to August 19, 2011. He  
26 remembered that Robert was "affable and easy to get along with employee." Robert started doing  
27 "table work which included measuring ingredients and shaping the bread dough, and then worked  
28 himself up to being the dough mixer, which requires a certain amount of responsibility." He

1 believes that Robert started his shift at 3:00. (Exhibit H)

2 In the fall of 2011, Mr. Blancas enrolled in the Le Cordon Bleu College of Culinary Art.  
3 His parents paid part of the tuition he covered the rest with student loans, co-signed by Karen  
4 and Mark. (Exhibit A at p. 5) A letter from a fellow student, Kiriakos Kalpakidis, attests to the  
5 fact that Mr. Blancas continued to work long hours at various restaurants while attending Cordon  
6 Bleu. (Exhibit K), Mr. Blancas graduated from Cordon Bleu the fall of 2012. (Exhibit I, Cordon  
7 Bleu Diploma.)

8 When he was close to graduating from Cordon Bleu he obtained job at, Catalyst, a new  
9 high end restaurant in Cambridge.

10 “The owner of the restaurant, William Kovel, remembered that Robert was part  
11 of his opening staff when the restaurant opened in August of 2011. He remembers  
12 that Robert was just finishing up at the Cordon Bleu when he was hired. He stated  
13 that when opening a restaurant, you hire a lot of people, as turnover is high that  
14 first year. He estimates that he probably hired 60 people, and ended up with 30,  
15 one of whom was Robert. He said Robert was a great employee, a very hard  
16 worker, and got along great with everyone, so easily made that cut. Robert  
17 was part of the team that opened the restaurant every night, working from 3 p.m.  
18 to 11 p.m. He was more than punctual, always showing up early, and was a  
19 reliable and responsible employee. Kovel explained that it was a high volume,  
20 stressful work environment, especially being part of the opening team. The  
21 restaurant earned three out of four stars from the Boston Globe that first year, and  
22 Robert was part of that. He described Robert as a “great employee” and was “well  
23 liked”. In addition to being a great employee, Robert was well liked. He had a  
24 great personality, kind of quirky, with his funny haircut that they teased him  
25 about, which Kovel described as a ponytail with a mullet. Robert was young at the  
26 time, probably in his early 20’s. Kovel liked having him around. He remembers  
27 that Robert had been promoted to the pasta station by the time he left for  
28 Tennessee. He wished he could have had Robert longer. He would hire him again

1 if the opportunity arose. (Exhibit J at pp.1-2)

2 Kiriakos Kalpakidis, also describes his interactions with Robert during their time at  
3 Cordon Bleu: “. . . I've known Rob for a little over ten years. He and I studied and graduated  
4 from culinary school together at Le Cordon Bleu in Boston in 2011. Rob was always one to  
5 challenge the status quo and set an example. When he and I met, I was struggling in classes but  
6 had perfect attendance. He was quite the opposite, having the skills to easily pass the class but  
7 struggled showing up because he was too busy working 70-80-hour work weeks . . . He was  
8 always outgoing and one to help someone in need. He was there when I found out my brother  
9 was addicted to opioids and helped me get through it because he never judged me. That trust led  
10 to a long-time friendship even though we had parted ways after culinary school. He moved to the  
11 west coast and I moved to Milwaukee. Regardless, we always kept in touch and he even stood up  
12 in my wedding. (Exhibit K)

13 Mr. Blancas reports that his time in Boston was happiest time of his life. Unfortunately,  
14 his career as a chef in Boston came to an end when his sister Leslie asked him to come home to,  
15 Murfreesboro, Tennessee, where his parents had bought a horse ranch. Their father had fallen of  
16 a horse and suffered serious injuries. (Exhibit B at p.5.) (under seal)

17 **F. TENNESSEE**

18 Robert quit his job at Catalyst and on April 15, 2013, flew to Murfreesboro. Robert  
19 reports that when he left Boston, he intended to return after his father had recovered from his  
20 injuries. However, that was not meant to be.

21 “Karen told Bobby that he should stay in Boston, as he was doing really well there, but he  
22 insisted on coming to help out. Mark was incapacitated for six months, using a walker to walk,  
23 and could not do any of the farm work. Bobby came home and helped with everything. In  
24 addition to helping with taking care of his father, he was a big help on the farm – mowing, taking  
25 care of the horses by cleaning the stalls and feeding them, whatever needed to be done. He also  
26 got a job at a local restaurant, although was not that happy with it because it was not the high-end  
27 type of restaurant that he was used to working in. Bobby’s sister Leslie was also living at home,  
28 working as a vet tech. Mark’s injury brought them together as a family.” (Exhibit A at p.5)

1 During the second year of living at the ranch in Tennessee, Leslie decided to move  
 2 together to California. According to Leslie, Robert wanted to return to Boston, to continue  
 3 working as a chef, and his parents suggested they move there, but Leslie wanted the security  
 4 blanket of family, so chose California. She felt obligated to bring Robert along, as he had given  
 5 up his job in Boston to help her out with their parents. (Exhibit B, at p.5)(under seal) According  
 6 to his mother Leslie “talked Bobby into going along” (Exhibit A, at p.5)

### 7 **G. CALIFORNIA YEARS**

8 When Leslie and Robert arrived in California, they moved with their cousin Jenny, who  
 9 resided in Bay Point<sup>1</sup>. They stayed there from approximately 2014 to 2016. Robert got a job at a  
 10 well known restaurant called Coqueta in San Francisco. In 2015 he met his girlfriend Ms. X<sup>2</sup> in  
 11 2015. In 2016, Robert, Ms.X, Leslie and another person moved to a house on San Bruno Avenue,  
 12 in San Francisco, so that Robert could be closer to work. Even though Ms. X was employed she  
 13 did not contribute financially to the apartment, as she was saving her money for [a post-graduate  
 14 college program]. Ms. X told Leslie that she and Robert were polyamorous and that they were  
 15 into “Daddy Little” stuff as well as Kink stuff.

16 In 2019 Robert bought an RV in Texas “so that he could drive [Ms. X] to [redacted],  
 17 where she had been accepted into a . . . [post-graduate college program] . . . (Exhibit B at p .  
 18 8.)(under seal) The RV broke down on his way back and it took a number of weeks to have it  
 19 repaired. As a result he lost “ . . . his his job at Coqueta, a job he held since they had moved to  
 20 California . . In the late summer of 2019,after Robert had the RV repaired and had returned to  
 21 San Francisco. Robert and [Ms. X] set off on the trip to [name of state redacted] with [Ms. X] ,  
 22 planning to drive her to the [college ] she would attend. They had a U-Haul trailer attached to the  
 23 RV, . . . [which] broke down in Bakersfield. [Ms. X’s” mom went down to pick up [Ms. X] and  
 24 flew her to [redacted]. (Exhibit B at p.8)(under seal) As a result “Robert was stuck living in a  
 25

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26 <sup>1</sup> Located in the East Bay, west of Pittsburg.

27 <sup>2</sup> All references to Ms. X, have been redacted in order to protect her privacy. Ms. X was  
 28 not a minor and had been accepted to a post-college program in the mid-west.

1 broken RV, parked in front of a house owned by a relative of [Ms. X].” Id.

2 In February 2020, Leslie moved to her current address on 38th Avenue. Her cousin  
3 Jennifer moved in at the end of March. Robert was still living in the RV. Then, Leslie and her  
4 cousin Jenny brought him, and his RV, to their place. He parked the RV on the street, and had to  
5 constantly move it around to avoid tickets. Sometimes it was too late to walk back to his RV, so  
6 he slept in the house. (Exhibit B at p.9)(under seal)

7 Robert reports that he continued with his “kink” DD/LG relationship with Ms. X on the  
8 internet from the time after she left the Bay Area to the time he was arrested on this case. Once  
9 Ms. X learned that he was arrested in the instant case she broke off all contact with him.

#### 10 **V. MR. BLANCA’S EVALUATION BY DR. YOUNG**

11 Mr. Blancas was tested and evaluated by Dr. Young with regard to issues related to his  
12 “kink relationships” and his likelihood to recidivate. The results of that evaluation are discussed  
13 below. (Exhibit F)(under seal)

### 14 **ARGUMENT**

#### 15 **A DOWNWARD VARIANCE TO A TEN YEAR SENTENCE FOLLOWED BY 16 INTENSIVE SUPERVISED RELEASE IS SUFFICIENT BUT NOT GREATER 17 THAN NECESSARY TO MEET THE SENTENCING OBJECTIVES OF 18 U.S.C. 18 § 3553**

##### 19 **A. MR. BLANCAS AND U.S. PROBATION AGREE THAT A DOWNWARD 20 VARIANCE TO 120 MONTHS IS APPROPRIATE IN THIS CASE**

21 Mr. Blancas and the government entered into a plea agreement which included the  
22 enticement charge in CR 21-105 and the obstruction charges in Cr 21-121<sup>3</sup>. ECF 76. The  
23 agreement anticipated an Adjusted Offense Level of 35. (ECF 76 at p.7.) Although there was no  
24 agreement re criminal history we expect that the government will agree that Mr. Blancas is a  
25 Criminal History Category I. Thus, the parties and U.S. Probation agree that Mr. Blancas’

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26  
27 <sup>3</sup> Mr. Blancas’ co-defendants in CR 21-121, Rush (ECF 153), Ybarra (ECF 155) and  
28 Miksch (ECF 157) were each committed to the custody of the Bureau of Prisons for a total term  
of 6 months and 3 years of supervised release based on conduct identical that of Mr. Blancas.

1 sentencing range under the guidelines is 168-210 months<sup>4</sup>.

2 We agree with U.S. Probation that a downward variance from the guideline range  
3 of 168-210 months to a sentence of 120 months, and a lengthy period of intensive supervised  
4 release is appropriate in this case. See, PSR Addendum at ECF 162 at p.26.

5 **B. MR. BLANCAS HAS ACCEPTED RESPONSIBILITY FOR HIS**  
6 **CONDUCT**

7 Mr. Blancas plead guilty to both indictments early in the proceedings. He has submitted a  
8 letter to the Court in which he frankly and honestly accepts accept responsibility for his conduct .  
9 (Exhibit L)

10 **C. A DOWNWARD VARIANCE IS SUPPORTED BY MR. BLANCAS'**  
11 **HISTORY AND CHARACTERISTICS**

12 Mr. Blancas was brought up in a environment that was free from physical abuse or  
13 neglect but was nevertheless extremely dysfunctional. As a result of his being raised mainly on  
14 rural properties, and his parents parenting philosophy, he never had close friends or girlfriends at  
15 school. His mother reports that he *never* had friends visit him at their home during his elementary  
16 and high school years. In fact, he states he never had any close friends during his middle school  
17 and high school years. His mother worked at his high school and closely monitored his activities,  
18 which made if difficult to form friendships with his peers.

19 Although, his parents meant well, it appears that their rules regarding friends, television,  
20 and the internet resulted in both social and psychological isolation. It appears that his only friend  
21 was his older sister. According to his sister, and other relatives, his parents were conservative and  
22 controlling. An example of this, is the fact that he was not allowed to watch the Simpson's on  
23 television, because they felt Bart Simpson did not respect his parents. As a result of the  
24 foregoing, he left the family home as soon as he could. He enrolled in a state college, dropped

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25  
26 <sup>4</sup> Counsel has spoken with the USPO in this case regarding the fact that the sentencing  
27 recommendation at ECF 162, p.26, erroneously indicates a total offense level of 38, which results  
28 in sentencing range of 235-293 months. The actual total offense level should be 35 which results  
in a sentencing range of 168-210 months. PSR at ¶68. The USPO has advised she will correct  
this error.

1 out, and lived with a relative for two years. During that time and during the following years his  
2 main connection with reality was the internet. It appears that is where he discovered “kink  
3 culture” and on-line relationships, which ultimately resulted in the enticement offense committed  
4 in this case.

5 After living with his cousin, he moved to Boston where, for the first time in his life, he  
6 lived and worked on his own. He obtained a job in a bakery, entered and graduated from the  
7 Cordon Bleu School of Culinary Arts, and obtained a job at a prestigious restaurant. During this  
8 period he worked incredibly long hours. He describes his three years in Boston as the happiest  
9 time in his life. The letters from his employers in Boston, and his friend from the Cordon Blue  
10 depict a Robert Blancas who was hard working and cared about people. (Exhibits H, J and K)

11 Unfortunately, he left Boston and returned to his parents home for two years at the  
12 request of his sister. She needed help taking care of his father, who was injured in an accident.  
13 He wanted to move back to Boston, however, his sister convinced him to move to the Bay Area.  
14 He lived with his sister, another relative and other individuals under chaotic circumstances,  
15 including “kink” behavior with his live-in girlfriend and other’s on-line. His plan to return to  
16 Boston and resume his life there was basically thwarted by the loss of his job just prior to the  
17 pandemic.

18 Mr. Blancas letter to the Court indicates that once he is released from custody he can once  
19 again be the Robert Blancas that lived and thrived in Boston. (Exhibit L )

20 **D. THE DOWNWARD VARIANCE RECOMMENDED BY U.S. PROBATION**  
21 **WILL PROVIDE JUST PUNISHMENT**

22 The ten year prison sentence recommended by U.S. Probation is a severe punishment for  
23 a person who has never spent time any time in jail or prison. Mr. Blancas is now 34 years old. He  
24 will be in his forties when he is released from prison and he will be in his early 50's upon the  
25 termination of the 10 year supervised release recommended by U.S. Probation. PSR ¶¶ 5-18

26 We submit that ten years in prison, followed by 10 years of intensive supervised release,  
27 along with the requirement that he register as a sex offender, is a severe punishment which  
28 reflects the seriousness of his offenses, promotes respect for the law, and provides just

1 punishment within the meaning of 18 U.S.C. §3553 (a)(2)(A).

2  
3 **E. THE DOWNWARD VARIANCE RECOMMENDED BY U.S. PROBATION**  
4 **WILL AFFORD ADEQUATE DETERRENCE AND PROTECT THE**  
5 **PUBLIC**

6 Dr. Young's evaluation determined that Mr. Blancas was not a pedophile and was  
7 unlikely to re-offend when released from custody:

8 " . . . while his sexual preferences are unconventional, there is no evidence to support a  
9 deviant sexual interest in young girls and there is no evidence of pedophilic sexual preferences. A  
10 review of his test results, clinical interview, sexual and personal history suggests that Mr.  
11 Blancas' personality traits all fall within normal limits. Mr. Blancas readily acknowledges his  
12 interest in the kink community and specifically, polyamory, dominance-submission, and role  
13 play; however, based on the information gathered, while his sexual preferences are  
14 unconventional, there is no evidence to support a deviant sexual interest in young girls and there  
15 is no evidence of pedophilic sexual preferences." (Exhibit F at p. 5.)(under seal)

16 Dr. Young also concluded that " he is very likely to respond well to treatment, and he is  
17 unlikely to sexually reoffend. requirements—he also expresses compliance and motivation for  
18 both." *Id.* at p. 6.

19 We submit that Dr. Young's report establishes that a ten year sentence with counseling,  
20 both during and after his incarceration, will to afford adequate deterrence to criminal conduct and  
21 protect the public as required by 18 U.S.C. §3553 (a)(2)(B) and (C).

22 Additional support for Dr. Young's conclusion that Mr. Blancas is unlikely re-offend is  
23 found in the latest and final U.S. Sentencing Commission report on recidivism and length of  
24 sentence. The Commission " . . . found a statistically significant preventative effect for offenders  
25 sentenced to more than 60 months incarceration. Specifically, offenders sentenced to more than  
26 60 months incarceration had lower odds of recidivism as compared to similar offenders receiving  
27 shorter sentences. The odds of recidivism were approximately 18 percent lower for offenders  
28 sentenced to more than 60 months up to 120 months incarceration compared to a matched group  
of federal offenders receiving shorter sentences. The odds of recidivism were approximately 29

1 percent lower for federal offenders sentenced to more than 120 months incarceration compared to  
 2 a matched group of federal offenders receiving shorter sentences. *U.S. Sentencing Commission*,

3  
 4 **F. A SENTENCE OF 120 MONTHS WILL PROVIDE JUST PUNISHMENT  
 AND ADEQUATE DETERRENCE TO FUTURE CRIMINAL CONDUCT**

5 A ten year prison sentence for a person who has never spent time in jail or prison, is a  
 6 very severe punishment, which reflects the serious of his conduct. Mr. He had never been  
 7 arrested, or served any jail time prior to the commission of the offenses in this case. He has zero  
 8 criminal history points. He is now 34 years old. He will be in his forties when he is released  
 9 from prison. He will be in his early 50's upon the termination of the 10 year supervised release  
 10 recommended by U.S. Probation. PSR ¶¶ 5-18

11 We submit that ten years in prison, followed by 10 years of intensive supervised release,  
 12 along with the requirement that he register as a sex offender is not only severe, but is just within  
 13 the meaning of 18 U.S.C. 3553 (a)(2)(A).

14 A ten year sentence and ten years of intensive supervised release will also deter future  
 15 criminal conduct. The evaluation conducted by Stephanie Young, PhD, determined that Mr.  
 16 Blancas does not present a risk to re-offend upon his release. (Exhibit F, under seal )

17 Dr. Young found that:

18 “ . . . while his sexual preferences are unconventional, there is no evidence to support a  
 19 deviant sexual interest in young girls and there is no evidence of pedophilic sexual preferences. A  
 20 review of his test results, clinical interview, sexual and personal history suggests that Mr.  
 21 Blancas’ personality traits all fall within normal limits. Mr. Blancas readily acknowledges his  
 22 interest in the kink community and specifically, polyamory, dominance-submission, and role  
 23 play; however, based on the information gathered, while his sexual preferences are  
 24 unconventional, there is no evidence to support a deviant sexual interest in young girls and there  
 25 is no evidence of pedophilic sexual preferences.” (Exhibit F at pp. 5-6)(under seal)

26 She concluded that “ he is very likely to respond well to treatment, and he is unlikely to  
 27 sexually refined.” *Id.* at p. 6.

28 Additional support for Dr. Young’s conclusion that he is unlikely re-offend is found in

1 the latest and final U.S. Sentencing Commission report on recidivism and length of sentence. The  
2 Commission “ . . . found a statistically significant preventative effect for offenders sentenced to  
3 more than 60 months incarceration. Specifically, offenders sentenced to more than 60 months  
4 incarceration had lower odds of recidivism as compared to similar offenders receiving shorter  
5 sentences. The odds of recidivism were approximately 18 percent lower for offenders sentenced  
6 to more than 60 months up to 120 months incarceration compared to a matched group of federal  
7 offenders receiving shorter sentences. The odds of recidivism were approximately 29 percent  
8 lower for federal offenders sentenced to more than 120 months incarceration compared to a  
9 matched group of federal offenders receiving shorter sentences. *U.S. Sentencing Commission,*  
10 *Length of Incarceration and Recidivism* (2022) at p.26

## 11 12 CONCLUSION

13 We respectfully request that the Court impose the sentence recommended by Defendant  
14 Blancas and U.S. Probation.

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16 Dated: August 15, 2022

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/s/  
Alan Azer Dressler  
Attorney for Defendant  
Robert Jesus Blancas